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**DEC 17 2009**

**OFFICE OF PETITIONS**

In re Application of	:	
Nicholas Frattalone	:	
Application No. 09/923,161	:	DECISION ON PETITION
Filed: August 6, 2001	:	
Attorney Docket No. <b>32958.00007</b>	:	

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed September 18, 2009, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to reply in a timely manner to the non-final Office action mailed March 17, 2009, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on June 18, 2009.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an amendment, (2) the petition fee of \$810, and (3) a proper statement of unintentional delay.

Telephone inquiries concerning this decision should be directed to JoAnne Burke at (571) 272-4584.

This application is being referred to Technology Center AU 3693 for appropriate action by the Examiner in the normal course of business.

JoAnne Burke  
Petitions Examiner  
Office of Petitions